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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,424	08/22/2003	Wieslaw Maciejczyk	BSG (A) P16AUS	9164

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EXAMINER	
BARFIELD, ANTHONY DERRELL	
ART UNIT	**PAPER NUMBER**
3636	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/646,424	MACIEJCZYK, WIESLAW	
	Examiner	Art Unit	
	Anthony D Barfield	3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 March 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-5,7,8,16,18-22,24-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Sedlack. Sedlack shows a connecting system (25) for a child car seat (10,20) in a vehicle, the child car seat being of a type which can either be rearward or forward facing and having a rear strap path for use when the seat is in the forward facing position and a front strap path for use when the seat is in the rearward facing position, the connecting system including a connecting strap (28) having latches (35,37) at either end thereof and which are adapted to engage with latching bars (40) on the vehicle, the connecting strap passing through and being fixed in a strap duct (see Figs. 2 and 4), the connecting strap being sufficiently long that respective ends extending from each side of the strap duct can extend out the opposite side of the front strap path

for use when the child car seat is in the rearward facing position or extend out the opposite side of the rear strap path for use when the child car seat is in the forward facing position.

3. Claims 1-8,16,18-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Kain. Kain shows a connecting system (16) for a child car seat (10) in a vehicle, the child car seat being of a type which can either be rearward or forward facing and having a rear strap path for use when the seat is in the forward facing position and a front strap path for use when the seat is in the rearward facing position, the connecting system including a connecting strap (40) having latches (42) at either end thereof and which are adapted to engage with latching bars (18) on the vehicle, the connecting strap passing through and being fixed in a strap duct (41, Fig. 1) via rivets (48), the connecting strap being sufficiently long that respective ends extending from each side of the strap duct can extend out the opposite side of the front strap path for use when the child car seat is in the rearward facing position or extend out the opposite side of the rear strap path for use when the child car seat is in the forward facing position.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 9-15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kain. Kain shows all of the teachings of the claimed invention. The method steps as claimed would have been obviously incorporated within the use of the invention, as taught by Kain.

Response to Arguments

6. Applicant's arguments filed 3/08/05 have been fully considered but they are not persuasive. In reference to applicant's argument that Sedlack and Kain fail to teach the use of a "connecting strap passing through and being fixed in a strap duct", the examiner is of the opinion that both Sedlack and Kain teach the use of a connecting strap passing through and being fixed in a strap duct. Applicant is reminded that the claims are drawn to the connecting system for a child seat and not the combination of the connecting system and child seat. Consequently, the examiner is of the opinion that the connecting system of Sedlack passes through and is fixed to a strap duct (36,112). Kain further teaches the use of a connecting system passing through and fixed to a strap duct (41) and in the case of a relation to a child seat the strap duct is defined as the rear passage way for a vehicle seat belt to secure the child seat. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a strap duct located in relation to the child seat) are not "positively" recited in the rejected claim(s) as the applicant only functionally recites the child seat. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony D Barfield whose telephone number is 571-272-6852. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anthony D Barfield
Primary Examiner
Art Unit 3636

adb
May 30, 2005